
GERMANY'S CRIMES AGAINST NORWAY.

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Foreword by

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The Royal Norwegian Government herewith submits to the International Military Tribunal, a report on Germany's crimes against Norway for use in the forthcoming trials of the German war criminals who bear the main responsibility for Germany's policy of aggression, war and occupation.

The report has been designated as "preliminary" because all the details have as yet not been fully clarified and because all of the evidence has not been uncovered. Consequently, the report gives only a preliminary survey and mentions only selected examples under the different headings.

Norway was one of the first countries to be attacked by the German military forces, and has therefore suffered longest from the German terror and the Nazi methods of violence. However, the Nazis were unable to break the spirit of the Norwegian people, in spite of the fact that thousands of Norway's best men and women were executed, imprisoned, deported and subjected to torture, and in spite of the fact that Norwegian property was plundered and destroyed.

By adherence to the St. James Declaration and the Moscow Declaration, the Royal Norwegian Government has indicated its desire that the responsible war criminals be indicted, tried and punished for the illegal and

I. Introduction.

Norway has in many respects suffered less from the war than most of the other German-occupied countries in Europe. Broadly speaking the country as a whole has been saved from becoming a battle-field and has been spared the total destruction which this involves, although the war operations in 1940 and the German "scorched earth" policy in the northernmost district of Finnmark and Troms in November, 1944, did great damage to the country. Both by and large as well as in relation to the size of the population, the number of deaths caused by the war and the occupation is not high in comparison with the losses in many of the other countries. The number of prisoners and deportees is, to be sure, large from a Norwegian point of view, but can hardly be compared with the figures for, for instance, Poland, Yugoslavia, France or the Netherlands.

Nevertheless, Norway has a large account to settle with the German War Criminals, both the individual, direct perpetrators and the responsible leaders of the German Government, of the Nazi Party and of the Military Forces.

Crimes have been committed in Norway during the war which, both in regard to details and execution, scarcely fall short of the German terror in the other occupied countries, although the crimes, owing to special conditions, were not so extensive in Norway. But all of these crimes, viewed singly or collectively, are really only the logical consequence of Germany's greatest crime against Norway, viz., the violation of

unlawful acts which they have committed. The Norwegian Royal Government therefore wishes, by means of this report, to give preliminary documentary evidence of the criminal acts effecting Norway.

Johan Cappelen (sign.)

her peace and the attempts to Nazify the country, and must in the last analysis be considered from the viewpoint of this background. There is no doubt that Germany's object in Norway was to transform the country ideologically into a Nazi state in order to incorporate it into a Greater Germanic Empire under German leadership. Consciously or unconsciously, every wheel in the German machinery functioned in harmony with this policy.

The Nazi powers-that-be in Germany had been conspiring against Norway's peace and neutrality for a long time before the war broke out. Without warning or declaration of war, the German military forces attacked Norway in 1940, and during the two-month long operations, waged an unscrupulous war,

disregarding every law of humanity and International Law. Besides attaining military victories, the Germans aimed at conquering Norway politically. However, they did not succeed in spite of all their political maneuvering, in spite of the psychological effect in Norway of Germany's great military victories in Europe during the summer of 1940, and in spite of an unscrupulous use of violence. German intentions appeared clearly from Reichskommissar Terboven's speech in September 1940. He stated that it was the purpose of Germany to nazify Norway, directly as well as in cooperation with the treacherous party "Nasjonal Samling." For almost five years these attempts at nazification continued, without success but with countless unlawful interferences, and encroachments and untold suffering for the Norwegian people.

The responsibility for these crimes does not rest only with the individual German soldier, the individual Gestapo agent or civilian official who directly committed the crimes, but also with the German authorities in Norway who ordered and in many cases, even took part in the crimes.

But the responsibility does not end here. The highest authorities in Germany share the responsibility for these war crimes, the string pullers behind the German Nazi and military policies, irrespective of whether they directly ordered a certain crime or operation, or whether by broad lines of general policy they aimed at and permitted the German authorities in Norway to carry out their criminal plans regardless of the

claims of International Law and the rights of mankind.

In accordance with the St. James Declaration of 13th January 1942, the Moscow Declaration of 1st November 1943, and lastly by Agreement of 8th August 1945 between Great Britain, the U.S.A., the Soviet Union and France, it has been determined that the parties responsible for Germany's policies of aggression, war and occupation shall be prosecuted and sentenced by an International Military ^{Tribunal} ~~Court~~, with its seat in Germany, if they are not prosecuted by the countries where they have committed their chief crimes.

Norway has acceded to the earlier declarations and by Royal Warrant of 1945, also has subscribed to the agreement of 8th August, 1945.

The Norwegian Government hereby submits a report of Germany's crimes against Norway. The report is designated as "preliminary", because all details are not yet fully elucidated, and because all the evidence has not been uncovered. The report gives therefore, only a preliminary view and deals only with some selected examples in the various paragraphs.

By subscribing to the said agreement the Norwegian Government has indicated its wish that the responsible war criminals shall be indicted, sentenced and punished for the crimes which they have committed. The Norwegian Government wishes through this report to give preliminary documentary evidence of the crimes affecting Norway.

II. Crimes against the Peace.

1. Preparations for German aggressive war.

From the very beginning when the Nazi Party took over the political power in Germany in 1933, a distinct line was followed in German foreign policy, partly in accordance with Hitler's own theories which as an ultimate goal aimed at giving Germany the decisive power in Europe as a first step, and world domination as a second. A crimson line runs through events, such as Germany's withdrawal from the League of Nations, the resumption of peacetime conscription, the withdrawal from the Locarno Agreement, the march into the Rhineland, the annexation of Austria and later on of Czecho-Slovakia, right up to the war in 1939, which was a natural consequence of the "dynamic" German policy, since the Nazi leaders manifest intention was now to make the last conquest by force of arms.

Officially it was the Foreign Ministry who conducted foreign policy during the last few years under the guidance of Ribbentrop. But unofficially and parallel with, and often in conflict with the Foreign Ministry and the Foreign Minister and his special office, "The German Nazi Party's Foreign Affairs Political Office", was operating under Hitler's "initiative and impulses" motivated orders. This office was operated by Reichsminister Rosenberg.

No doubt it was a part of the scheme of German expansion to gain a decisive influence or complete control of Norway as well. Alfred Rosenberg writes in

his diary that as early as June 1934 he delivered to Hitler a memorandum relating to the political-strategic importance of Norway. Further particulars of German plans as regards Norway and operations during the years up to 1939 have not yet been brought to light. Among the documents in the Quisling case, however, is to be found "A Short Report of N.S.D.A.P's Foreign Affairs Political Office's Operations from 1933-1934" by Alfred Rosenberg. Exhibit I. This document gives a clear picture of the German efforts to gain influence in the different countries, and also brings to light the earlier German "intimate" contact with the traitor Quisling in Norway.

2. Preparations for the attack on Norway on 9th April, 1940.

The situation was altered by the outbreak of war in 1939. The efforts to gain influence in the various

countries by peaceful means, possibly also through underground and treacherous channels, was a thing of the past. Now weapons were to do the talking. Decisive military considerations implied a German action also against Norway. As a step in the German offensive warfare the control of Norway was important. Norway had a flank-position, which was important as regards the blockade of England, and as a starting point for a direct attack on England as well.

The German Navy was especially determined to secure the command of the Norwegian coast. The German "See-kriegsleitung" had as early as September 1939, prepared a plan for an operation against Norway. This work was not carried further at that time, as the supreme military authorities appeared to have decided to attack France as soon as the campaign in Poland was finished.

Notes have been found, however, with Grand Admiral Raeder, which prove that the Naval Staff constantly kept in mind, and gradually was reinforced in its view that something had to be done in Norway. It is believed that at first Hitler believed that he could count on Norway's remaining neutral, and that for the time, at least, there was no danger of any Western Allied undertaking in Norway. But that he was giving consideration to these military plans is proven by a statement made by the German military commander in Norway, Colonel-General Falkenhorst. During an examination of him in Norway, Falkenhorst testified that he, during a conversation with Hitler at the end of February 1940, heard Hitler himself say that he had worked on plans for an

action against Norway as far back as the autumn of 1939.

Reports from official German representation in Norway gave expression to Norway's will as well as ability to remain neutral. Reports from Rosenberg's unofficial foreign service - closely connected with the traitor Quisling and his people - gave information to the contrary, however.

In December 1939 Quisling came to Germany and insisted that England was preparing an occupation of Norway and that the Norwegian government had a secret agreement with England not to resist (Appendices 3 and 4). Quisling was given an audience with Grand Admiral Raeder and Reichsminister Rosenberg, who at once

believed Quisling's stories. Quisling came as a God-send, seen from Raeder's viewpoint, and he made certain that Quisling was given an audience with Hitler at once (Appendices 5 and 6). Thus it would appear that the ✓ Navy and Quisling jointly convinced Hitler of the necessity for attacking Norway as the next move in the war, and in the middle of December 1939 it was resolved that military preparations should be made for the attack on Norway.

✓ In January 1940 Hitler gave an order through the Chief of Staff of the High Command, General Keitel, that an operations staff be established to work out operational plans against Norway, such as the disposal of tonnage, the size of the military forces, the points of attack and so on (Appendix 7). On February 20th, ✓ 1940, General Falkenhorst took over charge of the military preparations and these were completed one month later. The political preparations were undertaken at the same time in co-operation with Quisling. Hitler promised Quisling financial support for "his Greater Germanic-inspired movement." ✓ In January 1940 it was, among other things, decided that Quisling was to be supported by 200,000 gold marks; the amount was later fixed at 10,000 pounds per month for 3 months from March 15th, 1940. Thus the decision to attack was made and the preparations were completed before the mine-laying in Norwegian territorial waters by the Western Powers - the circumstance which German propaganda assigned as the cause for the German action. At the end of March the day for the invasion was fixed as

9th April, 1940.

✓ The German plan was based on a complete surprise - occupation of Norway. This was the essential condition precedent to its successful accomplishment. How secret the plan was kept is attested to by the fact that Foreign Minister von Ribbentrop in the course of an examination stated that he had heard of the plan only 36 hours before the attack started. Quisling was merely ✓ a pawn in the play and was not directly informed, although he might have had some idea of the impending events, when he, in the beginning of April 1940, was called to Copenhagen in order to give military information to a representative of the German General Staff.

The essential point in the military plans was that the main force and the material were to be brought to Norway mainly by

warships and planes, so that German intentions should not be revealed to the English fleet by the presence of a large fleet of transport ships. At the same time innocent-looking coal boats were to be used, with weapons, material and a few soldiers on board. Some time before the invasion these boats like "Trojan Horses" had run into Norwegian ports.

Hitler had decided that a diplomatic action should take place simultaneously with the military operation. The plan was that the German troops who were to be in Oslo in the morning of April 9th, should immediately arrest the Government and the members of the Storting and try to force the King to appoint a Quisling Government.

The plan did not succeed completely especially because the German cruiser "Blücher" with the troops for Oslo on board was sunk by a Norwegian torpedo-battery in the Oslo-fjord, so that the King, the Storting and the Government escaped thus upsetting the German political plans. By and large, however, the military operation proceeded according to plan.

3. Conclusion.

The responsibility for this systematic planning and preparation to include Norway, too, in Germany's aggressive war, rests first and foremost with Adolf Hitler himself and the German Government, but it rests also with the supreme military leaders, especially the leaders of the German Navy and the Army High Command who carried out the orders for the planning and execu-

tion of this unprovoked attack on a neutral country.

Besides the Government and the Military Staffs it is natural to mention "Reichsleiter" Alfred Rosenberg. Although he was not, according to the information on hand, particularly occupied with German foreign policy at that time, he appears, according to presently available evidence, to have played an important part in the "Affair Norway", particularly through the activity of his "Foreign Affairs Political Office" and through his close co-operation with Quisling and his full exploitation of Quisling's treasonable activities. This co-operation was undoubtedly of controlling importance as regards the German Wehrmacht's successful execution of the attack on Norway.

III. Crimes against the Laws and Usages of War.

In a war, the aim of the country at war is to gain complete victory over her opponent. In order to attain this objective, the warring country can make use of numerous different means, - not only the principal one, firing against military objectives, but she can also resort to stratagem, adopt measures against enemy property, the civilian population, etc. However, according to International Law she does not possess absolute liberty in the choice of means to harm her opponent, and the rules relating to this subject are among the most important ones contained in the laws of war.

✓ The rules referred to are firstly the 4th Hague Convention and the "Rules of Land Warfare" which forms a part of it; then, the various conventions relating to air and sea warfare, treatment of the sick and wounded, prisoners-of-war, etc. Besides these treaty-recorded rules there are the acknowledged customary rules for the conduct of the International Law, i.e. the principles of the International Law, as they appear in "adopted customs among civilized nations, of the laws of humanity and of the demands of the public conscience." (The preamble to the 4th Hague Convention of 1907). -

Germany's attack on Norway, the war in 1940 and the five years of occupation following it form an endless series of intentional violations of these rules of International Law, and they must consequently be regarded as War Crimes. This report will cite numerous examples of such violations.

^{The} ~~In~~ the recording of these War Crimes, ^{is founded on} the list prepared for use at the Peace Conference in 1919 and adopted as a basis by the United Nations' War Crimes Commission, ~~(has been used as a basis.)~~

However, that which gives each of these crimes its really gross character, regardless of the nature of the act, and that which makes it possible to see all the encroachments as a whole, as one big crime, that which entitles us to put the responsibility on the political and military leaders in Germany, is the fact that all the crimes, partly consciously and partly unconsciously, seem to have taken place according to a definite, higher plan: Germany's struggle to introduce through war Nazism in all countries.

The parties may not attempt to spring any surprise on each other. The Code of Criminal Procedure para 331, Section IV, provides in this connection:

"If evidence is produced of which the adverse party has not been notified in time, the latter is entitled to an appropriate postponement, unless the evidence obviously is of no importance."

And para 292, Section II of the Code of Criminal Procedure provides that in addition to a copy of the indictment, the prosecution will send to the Counsel for the Defence, a copy of the different papers and important documents in the case, as well as a list of the witnesses intended to be called and a statement of what is proposed to be proved by said witnesses.

The trial is conducted by the President of the Court. He opens by ensuring that all the members of the Court are present, that the Court has been legally constituted, and that the parties to the case are present.

The case opens with a statement by the Prosecuting Attorney outlining the nature of the charge.

The opening statement of the Prosecuting Attorney should give the Court a summary of the different aspects of the case, with a statement of the evidence that will be produced in support of the charge.

The Prosecuting Attorney's introductory remarks should be as impartial as possible. The Counsel for the Defence, too, has the right to deliver an opening statement in which he states his evidence, but this right is seldom exercised.

After the statement of the Prosecuting Attorney, the defendant may make a statement if he so desires. Following this, the other evidence is produced, first by the Prosecution and then by the Counsel for the Defence.

The Prosecution's witnesses are examined first by the Prosecuting Attorney and thereafter by the Counsel for the Defence. The reverse procedure is followed for the witnesses for the defence. The President of the Court may, on his own initiative, or upon request of any member of the Court, question the witnesses.

Written documents are read by the Court Clerk or by one of the Court members. The party who produces the written evidence may also be allowed to read it himself.

Closing statements follow the evidence. The Prosecuting Attorney is given the floor first, and thereafter the Counsel for Defence. The parties are entitled to the floor two times each.

The defendant as well as his counsel is entitled to make a closing statement. He is finally afforded the opportunity of making any further remarks.

The trial is generally public. The Court may, however, in special cases, rule that the case is to be tried behind closed doors.

The same rules are applicable to a Lagmannsrett sitting as a Court of Second Instance for the conduct of a new trial, as apply when it sits as a Court of First Instance.

Trial before the Supreme Court

A trial before the Supreme Court is also oral. However, the Hearsay Evidence Rule is not applicable to testimony by the defendant, witnesses or experts. Nor may the Supreme Court undertake the conduct of local inquests.

These limitations on the applicability of the Hearsay Evidence Rule are imposed in view of the great amount of work the absence of such limitations would impose on the Supreme Court. In this connection it should be recalled the question of guilt is not one for the Supreme Court.

1. The War in Norway in 1940.

The German attack on Norway on the 9th of April, 1940, brought war to Norway for the first time in 126 years. For two months the war was carried on throughout the country, causing destruction for 250,000,000 kroner, considering then existing market values. When rebuilding, the rise in prices has to be taken into account, so that the damage will amount to approximately 50 o/o more. More than 40,000 houses were damaged or destroyed, and about 1000 civilians were killed, but the military losses were few, only 900 killed.

Making use of Hitler's own words the attack on Norway was "kriegswichtig, kriegsnotwendig, und kriegsentscheidend". This being the background it seemed that all means of warfare were legal, if only they served the Germans.

Attack without warning or declaration of war.

The German plans of action were based on the assumption that the attack on Norway, if it was to be a success - had to be kept secret, as far as possible. Not even the traitor Quisling was informed as to the time of the attack. Part of the plan was also not to give Norway either warning or make any declaration of war. On the 9th of April, 1940, at 4:30 o'clock in the morning, the German Minister in Oslo appeared at the Norwegian Foreign Office, and set out a series of demands on behalf of his Government. But several hours previous to this presentation of demands the German Wehrmacht had already started a full-scale attack on

Norway.

The memorandum which Germany presented, was not - in any usual sense - an ultimatum; on the contrary, it stated as a fact that the Germans had already started military operations, which would lead to the occupation of strategically important points in Norway, and that the German Government from now on was "taking over the protection of Norway." The memorandum emphasized that the German troops did not come as enemies, but maintained that Norwegian resistance would be broken by all possible means.

During the first fortnight of the war, the Germans played on many strings. The whole time they maintained the pretence that the German troops had come to the country as "friends and protectors", but at the same time, General Falkenhorst

issued dramatic proclamations to the population citing as authority the provisions of the Hague Convention's "Rules of Land Warfare" which relate to belligerent military occupation.

Not until the original political plans of the Germans had completely failed - in the first instance because the legal Norwegian authorities escaped from the capital, and secondly because the King and his government rejected the political demands of the Germans - did the Germans throw away the mask and acknowledge that a state of war existed. But this was merely incidentally acknowledged in "Führer-Erlass" from Berlin, dated 24th April, 1940, which was not even made public in Norway.

The Unrestricted Air Warfare.

The Luftwaffe's ravaging in Norway.

The German Air Force was, during the fighting in Norway, totally superior to the Norwegian, and later on, to the Allied Air Forces. This superiority was exploited without any restraint whatsoever. The actions of the German planes during the Polish campaign will be remembered. The Germans there had started the unrestricted air warfare and Herman Göring's Luftwaffe continued their tactics during the campaign in Norway by a senseless bombing of small and unfortified towns and places, farms, churches, hospitals, and hospital ships, and other non-military objectives.

The German planes also practically hunted the King and the Government, bombing to pieces the towns and inhabited places, where, - probably based on

espionage reports - they believed the authorities were staying, even when there was no military staff there. This kind of terrorising "warfare" was surely carried out in accordance with some definite plan from the highest quarters, probably as revenge for the defeat the political plans of the Germans had suffered through the firm attitude of the King and Government.

These are some of the bomb-ravaged and destroyed

Norwegian towns:

- ✓ Elverum: bombed on 11th April, 1940, about 1200 buildings and chattels damaged to a total value amounting to 6,200,000 kroner (Appendix 8).
- ✓ Nybergsund: bombed 11th April, 1940, about 200 items damaged, value 0.35 million kroner.
- ✓ Kristiansund N.: bombed from 28th April to 2nd May, 1940, about 5,700 items of damage, value 56,500,000 kroner (Appendix 9).

*Lives?
wounded?*

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- Molde: bombed on the 15th April, 1940, about 1600 items damaged, value 11.6 million kroner, (Appendices 10 & 11).
- Namsos: bombed on the 20th April, 1940, about 2,100 items damaged, value 16.5 million kroner, (Appendix No.12).
- Steinkjer: bombed on 21st and 22nd April, 1940, about 2,200 items damaged, value 20.7 million kroner, (Appendix No.13).
- Bodø: bombed on the 27th May, 1940, about 3,500 items damaged, value 35.5 million kroner, (Appendices Nos.14 & 15).

Hospitals and hospital ships were favourite objects of the German planes. For instance, Bodø hospital was bombed on the 27th May, 1940 and the patients who were carried out of the burning building, were fired upon by machine guns from the planes (Appendix No.16). The hospital ship "Dronning Maud" was bombed and sunk on 1st May, 1940 at Foldvik in Tbestad, with loss of many lives including 7 doctors and 26 nurses, despite the fact the ship was distinctly marked with the Red Cross emblem. The same is true of "Brann 4", which was bombed and sunk on the 29th April, 1940. This ship was also distinctly marked with a Red Cross and carried a cargo consisting entirely of medical supplies and wounded.

Reports respecting these violations were sent to the International Red Cross Committee in Geneve by the Norwegian Government.

Orders were found on German pilots who had been shot down to the effect that all places that could be

used as accommodation and all movements on the roads were to be attacked, ("die Wege sind abzukämmen"). As a result of this farms and larger settlements all over the country were needlessly fired upon from the planes, regardless of the presence of military personnel.

Shooting and Abuse of the Civilian population.

As a further illustration of German violations of International Law in the conduct of war it may be stated that German soldiers repeatedly murdered Norwegian civilians under the pretence that the latter had fired upon the soldiers. According to investigations made later by the Norwegian police, it was proved that the German accusations were not true.

As examples may be mentioned on the 13th April, 1940, 2 women 30 years of age, were shot at Ringerike. On the 15th April, 4 civilians were shot in Aadal of which 2 were boys of 15 and 16 years of age. One of those murdered was shot through the head

and had also been bayoneted in the stomach. On the 19th of April 4 civilians from the country, of whom 2 were women and one a little boy, 3 years of age, were shot at Ringsaker.

On the 20th of April 4 men were killed at Ringsaker. They were shot in the back with a revolver. The Germans also tried to kill another man in the same way, but the bullet went through the neck and came out in the lower jaw without killing the man, who is perhaps the only one who has survived a German "neckshot." (The occurrence has been described in the periodical of the Norwegian Medical Association, 1945, No.1 (7) page 7). These executions were performed on the spot without reference to law or judgment. In most of the cases there does not even appear to have been proceedings which might be characterized as a summary court-martial. In several instances the Germans burned the farms where they had committed the crimes. In several cases Norwegian civilians were forced at the point of a revolver to show the Germans the way and others were forced to drive the Germans in cars and buses to the combat zones. During attacks the Germans placed Norwegian civilians in front of them to stop the Norwegian troops from shooting (see communication no.10 from the Commander in Northern Norway of the 27th of April, 1940). On the 20th of April, 1940, the Germans forced the crew of a Norwegian fishing boat to steer the boat, flying the Norwegian flag, full of German soldiers along the Trengereidfjord against a Norwegian guard post. The result of the German attack was a hard struggle which resulted in a

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German withdrawal with several wounded and dead soldiers. But the Norwegian master of the fishing boat lost his life on this expedition and one of the crew was wounded.

Other Violations.

In different places in Norway the Germans appeared in Norwegian uniforms during battles. This was the case in the district of Bergen (Communication of the 14th of April, 1940), during the struggles in Valdres and in Narvik. Reports have been received that at one place the Germans even put on womens' clothes, in order to reach a favourable position.

Where the Germans had passed, the civilians found their homes in an indescribable condition after the battle, if the Germans had not set fire to the houses. The so-called German "informal requisitions" which

actually meant plundering and destruction, were later compensated for with about 8.7 million kroner in all, partly by Norwegian authorities and partly by German authorities, that is, by money drawn out of the Bank of Norway (Norges Bank) by the Germans.

On 25th April, 1940, Ulvik in Hardanger was reduced to ruins, as a reprisal measure as the Germans claimed that civilians there had fired on German troops. Damage was done to more than 400 buildings and chattels amounting to a total of 2.3 million kroner.

2. The Attempts to Nazify Norway.

The German Aim.

✓ The aim of the Germans was a "National Socialist Norway." This came out clearly after the speech made by Reichskommissar Terboven in September 1940. The tone of the propaganda was to the effect that Norway had to find her place in the European "New Order", and solve the problems which might be assigned to her within the frame-work of a common European development. Norway's economy had to be shorn of its "Anglophile" attributes, and fitted into the European "Wirtschaftsraum," under German leadership; likewise, the country had to link its political future confidently to "the mighty Greater Germanic State."

These empty phrases only described in a round about way the already mentioned planned and conscious German attempts to mold Norway in true Nazi spirit. By these means the country could be fitted into a "Greater Germanic State", under the leadership of Germany, and by making

full use of a political system, created by compulsion, and of the same kind as the German one, Norway could be given the appearance of having maintained her independence and integrity, while in reality the country would become a pure vassal state under Germany.

The German Tools.

The most important German tools were the Reichs-kommissariat and the Police. By decree of 24th April, 1940, Hitler appointed a "Reichskommissar" for the occupied territories, who was to look after the interests of the German Reich. (Appendix 17). To this office was appointed Josef Terboven, German War Criminal No.1

in Norway, who committed suicide immediately before the German capitulation. Terboven ranked immediately under Hitler and received directions and instructions from him. The decree of 24th April, 1940, decided that the Reichskommissar might employ German police-organizations to execute his orders. At his side, therefore, Terboven had "der Höhere SS. - und Polizeiführer Nord" General Rediess, War Criminal No.2, who committed suicide together with Terboven.

The police were actually subject to "Reichssicherheitshauptamt" in Berlin (the chief of which originally was S.S. Obergruppenführer Heydrich, and after his death S.S. Obergruppenführer Kaltenbrunner), but received orders from Terboven as well, something which led to considerable friction and intrigue.

The Reichskommissariat and the police were organized on the lines shown in Appendices 18 and 19.

The Norwegian tools of the Germans were Norway's traitor No.1, Vidkun Quisling and his Nazi party, Nasjonal Samling, with its various branches, Hird etc.

By the international law, illegal, from the viewpoint of exploitation of Quisling and his people the Germans were saved the daily routine work in the administration of Norway. Terboven issued, for instance, only a small number of decrees, barely accounting for 200 pages in his "Verordnungsblatt". The N.S. Ministers and Quisling, however, issued a flood of "laws" and "decrees", which fill more than 3500 pages in 'Norsk Lovtidend'.

The Germans themselves made all important decisions,

such as policy for the nazifying, exploitation of Norwegian resources for German war aims, the struggle against the Norwegian resistance movement etc.

✓ The Quisling government was only a marionet-government and never had any real power except that allowed by the Germans. During the entire occupation Hitler's decree of 24th April, 1940, was in force, according to which Terboven had supreme authority and was responsible for the administration.

Means Employed by the Germans.

The measures which the Germans and their Norwegian helpers employed were first of all

the setting aside of such democratic liberties as freedom of speech, freedom of the press and right of free assembly and secondly interference with and change in existing public institutions, encroachment on the democratic traditions of Norway and clearing out of democratic elements in public life, unification of schools and the churches, accompanied throughout by compulsion and terror in all conceivable forms: Mass arrests, establishment of concentration camps, deportation of civilians, setting up martial law, establishing of police courts and summary courts martial, killing of hostages, execution and torture of prisoners, orders for collective punishment, senseless ravaging and destruction of Norwegian public and private property, etc.

Highlights of the Development.

✓ In a proclamation of 25th September, 1940, Terboven declared the King and his House deposed; likewise, any propaganda benefitting the Royal Family was prohibited by a decree promulgated shortly thereafter (Appendix 20).

✓ An order of 25th September, 1940, also dissolved all the political parties, except Nasjonal Samling, and the property of the political parties was "liquidated". (Appendix 21). Thereupon Terboven formed a "government" of 13 so-called "Kommissarische Staatsräte", of which 10 were members of Nasjonal Samling.

✓ The basis for interference in public life was laid in an order of 4th October, 1940, according to which "public employees, who by their political behaviour do not warrant that they will, with all the powers at their command, work for the political "New Order", may be dis-

charged from the service." (Appendix 22).

In December 1940 the judges of the Supreme Court resigned their offices as a protest against the illegal interference ^{by} the Germans and the Norwegian

Nazis with legislation and administration in violation of section 43 of the Hague Rules.

By a decree of the "Commissarian Minister" for Home Affairs of December 21st, 1940, the 100-year old democratic system of administration was nazified through the introduction of the "leadership principle."

Throughout the year 1941 the unification of the Workers' organizations was effected, reaching its climax in September 1941 when several Trade Union people were sentenced to death and shot, while others were sentenced to long terms of hard labour in Germany by a summary court martial established during the martial law period.

On February 1st, 1942, Vidkun Quisling became "Minister President" of a Nazi Government under the supervision of the Germans (Appendix 23), and the efforts at nazification were now greatly intensified. One of his first "official actions" of the "Government" was to promulgate a "law" aimed at nazifying Norwegian youth. In accordance with the German model, every Norwegian boy and girl were to serve in an organization under Nasjonal Samling from their 10th to their 18th year, and similarly, all the teachers in the country were to be forced into a Nazi Teachers' Association. At the same time policy was laid down for the teaching of Nazi ideology in the schools, for measures to be applied against pupils who did not show "a positive attitude", etc.

Hardly any other measure had brought Nazism so close to the lives of Norwegian citizens, so close to their homes. The Quisling decrees provoked a storm of protest from teachers and parents all over the country, ener-

getically supported by the Norwegian clergy headed by Norway's seven bishops.

The Germans and the Quislings did not hesitate to adopt

counter-measures. The teachers who refused to become members of the "Teachers' Association", were threatened with the loss of their position, their salary and their right to a pension, and would be sent to compulsory labour in the North of Norway. But Norway's 14,000 teachers did not give in, and the mass arrests began. By the end of March 1942, 1300 teachers had been put in prison some being placed in concentration camps, some sent to compulsory labour in different parts of the country, often together with Russian prisoners-of-war and exposed to the same inhuman treatment which they received. The deportation of teachers by s/s "Skjerstad" from Trondheim to Finnmark was particularly revolting. Five hundred teachers were stowed together like cattle under the most unhygienic conditions.

In spite of all encroachments, the teachers' front resisted the nazification and in the end the Germans and the Quislings had to give in without having carried out their plans.

This fight for the youth was also one of the factors contributing to the struggle of the Norwegian church against the attacks by the authorities of the "New Era", a struggle that led to Norway's bishops and clergymen resigning from their positions in protest. Many clergymen were also put in prison or banished from their homes.

✓ Another part of the nazification program was the persecution of the Jews in Norway in October 1942, where the Germans - partly in co-operation with the Quislings - started mass arrests of Jewish men, women and children. After plundering and brutal treatment in concentration camps the persons arrested, numbering about 750, were

deported to Germany and Poland, where practically all of them died in gas chambers and concentration camps. The property of the Jews was "liquidated" by "law" of October 26th, 1942.

In spite of the fact that these efforts, throughout the years, might have made it appear that Norway was nazified, one-minded and rid of the Jews, this was only a superficial phenomenon. Beneath the thin shell of Nazism the opposition of the Norwegian population gradually grew from 1940 and became a strong and wide-ranging organization, the Norwegian Home Front. Because of the opposition on the part of the population specific German actions, as for instance, in the spring of 1943, the attempts to mobilize Norwegian workers and Norwegian resources to the German war effort, resulted in fiascos.

During the last years of the occupation the German attempts at nazification grew less comprehensive and it seemed that they were aimed at keeping the positions they believed they had gained. The great military resiliences on all fronts were certainly contributory factors.

But German terrorism continued until the last day of the occupation.

Conclusion

The attempts to nazify the country were perhaps the most damaging crime committed by Germany against Norway, because it was a crime against the spirit of Democracy and its effects and implications would have resulted in the moral destruction of the Norwegian people.

Further, the attempts at nazification also violated International Law presently in force. It was violative of this law to dethrone the King and his House, to encourage and use the traitorous organization, Nasjonal Samling, to make use of the "Nazi Commissary Ministers", and later the "Minister President" Quisling to the extent the Germans

18 a.

did and finally

to interfere with and alter Norway's public life. Actually, an occupant has only a temporary defacto control over the occupied territory and must undertake nothing the effect of which is intended to continue beyond the time of occupation. According to Article 43 of the Hague Convention, the laws of the occupied country are to be retained during the occupation unless this proves impossible.

The attempts at Nazifying Norway represent just that systematic and intentional War Crime in the wake of which come all the cruelties and all the misery already mentioned and of which a more detailed account will be given below. They constitute at one and the same time the means and the ends and must be viewed on the background of this fore-ordained plan.

The responsibility for the efforts to nazify the country and the consequences of these efforts rests first of all with Terboven. But Terboven was after all only the exponent of German Nazi policy, the authors of which occupied the leading positions in the Party, the State and the military forces in Germany.

3. Results of the Nazification.

A. Crimes against the lives, the bodies and the health of Norwegian citizens.

a. Murder and systematic terrorism - killing of hostages.

Executions without Trial

On several occasions Norwegians have been killed although no judgment had been pronounced. The following examples will be mentioned here:

1. On 26th April, 1942, 2 German policemen who tried to arrest 2 Norwegian patriots were killed on an island on

the west coast of Norway. In order to avenge this, 18 young boys were shot without trial 4 days later. All these 18 Norwegians had

been in prison since 22nd February the same year, and, therefore, had nothing to do with this affair.

✓ 2. On October 6th, 1942, Terboven proclaimed Martial Law in Trondheim. On the same day 10 well known Norwegian citizens were executed as an "atonement" for various attempts at sabotage which had been made. The Germans made no attempt to prove that these Norwegians had any connection with the sabotage.

✓ 3. On 14th October, 1943, a report was published stating that 5 Norwegians had been executed without trial, because they belonged to circles which intellectually and politically were believed to be responsible for the sabotage on the railway line Oslo-Kristiansand S. The report admitted that the Germans had not been able to find the persons who had committed the sabotage.

4. About 20th July, 1944, a number of Norwegians were taken from the Grini concentration camp and executed without trial. The cause is still unknown, but on account of the date it is not impossible that the reason may have been the Gestapo's desire to take revenge for the attempt on Hitler's life.

✓ 5. After the German capitulation, the bodies of 44 Norwegian citizens were found in graves. These citizens had been shot and no report of the execution was ever published. There is, consequently, reason for believing that most of them were shot without a trial.

The executions were often effected by a shot through the back of the neck or a revolver bullet through the ear, the hands of the victims being tied to their backs. (Appendices Nos. 24, 25, 26, 27 and 28).

Executions following Trial by SS- und Polizeigericht Nord.

✓ By decree of 17th September, 1941, Terboven extended the jurisdiction of the German SS Tribunal to cover violations by Norwegian citizens of decrees promulgated by the Reichskommissar.

This tribunal was completely controlled by Terboven. The judicial proceedings were mainly summary, and the accused had no adequate opportunity to defend himself. The sentence was usually executed shortly after it had been pronounced. The trials were not open to the public. The proceedings and the findings were not published, merely the sentence or a short description of the offence for which the accused was sentenced.

More than 150 Norwegian citizens were sentenced to death by this court, while many others were sentenced to many years at hard labour.

Executions following Trial by Court Martial and Summary Court Martial.

✓ In addition to those sentenced to death by the SS- und Polizeigericht Nord, 76 Norwegians were sentenced to death by various German Courts Martial and 52 by Summary Courts Martial established during the state of Martial Law. The Norwegian Nazis also set up summary courts martial which sentenced 16 Norwegians to death.

Deaths of Norwegian Citizens as a Result of Cruel Treatment During Examinations and in Concentration Camps.

In a large number of cases imprisoned Norwegian patriots were killed or committed suicide on account of

the torture and cruel treatment they were subjected to during examinations and the inhuman treatment in the German prison camps (Appendices nos. 29 and 30).

The number of known cases for the Oslo district

is 52. The number of victims for all of Norway is, without a doubt, considerably higher.

In concentration camps and in prisons in Germany about 800 Norwegian women and men have met their death. Many of these were sent to Germany as N.N. (i.e "Nacht und Nebel") - prisoners pursuant to the notorious "Keitel-Erlass."

In addition to this there are the Jews from Norway who perished in concentration camps and gas chambers in Germany and in Poland. Of the 750 who were deported only 13 have returned, and according to available reports it must be presumed that the others have been annihilated.

Total Number of Death Victims

The total number of Norwegians who have died during the occupation by execution, torture and ill-treatment, suicide etc., in political prisons and concentration camps in Norway and in Germany, may be put down at approximately 2100.

b. Arrest and Torture of Civilians

It is estimated that approximately 40,000 Norwegian citizens were, during the occupation, imprisoned in the several prisons and concentration camps in Norway. On an average, each of them was imprisoned for a year and a half, but for a large number of prisoners as long as 3 and 4 years, and for some even longer. The best known concentration camps in Norway were: Grini (total number of prisoners during the years of occupation about 20,000), Falstad, Ulven, Espeland and Sydspissen. To this must be added the different concentration camps for prisoners

of war, especially Russians and Jugo-Slavs.

During the occupation about 7500 Norwegian citizens were sent as prisoners to Germany. Of these about 1150 were prisoners-of-war and about 650 students. Of the remainder, 5400 were political prisoners of which about 250 were women (not including the Jewish women sent to Poland).

In a large number of cases torture was applied during examination. A "formal" general authorization for the administration of such treatment is reported to have been given in 1941 by the Reichssicherheitshauptamt in Berlin, under which the German Security Police in Norway worked. The authorization permitted beating with a stick or a rubber implement, and later use of calf-pinchers which had been tried by the Reichssicherheitshauptamt, and after 1944, the application of cold baths - a method tried by Gestapo in France which had proved to be "effective."

But also far more brutal forms of torture were made use of during examinations and many Norwegians have received lasting injuries from the treatment to which they were subjected, and many have died as a result of the torture applied to them.

Also in the concentration camps and in prisons, the prisoners were exposed to ill-treatment and torture. Hard penal exercise, often in the middle of the night, hard compulsory labour, without any regard to condition of health, blows, flogging, kicking, dark cells, insufficient food etc. resulted in lasting injuries and in many cases death to a large number of Norwegian patriots.

c. Deportation of Civilians

On several occasions the Germans compelled Norwegian citizens to leave their homes and sent them

to other parts of Norway or to Germany and Poland. Large-scale deportations usually took place after raids or alleged sabotage in different districts. As examples may be mentioned:

1. Immediately after the raid on Lofoten, March 4th, 1941, Terboven took a plane to Svolvær and ordered the most serious reprisals. Seventy persons from 17 to 70 years of age were arrested and sent to Oslo and then interned in a concentration camp at Håkadal, near Oslo. Later they were transferred to Grini.

2. After the liquidation of the two German policemen in Televaag (see before a.1) 26th April, 1942, the whole population of Televaag was deported and the place was at the same time destroyed. Seventy-four persons - all the grown-up men in the place were deported to Germany, where most of them perished, and the women and children were interned in Norway.

3. On 26th November, 1942, Jewish women and children in Oslo were arrested in their homes and brought on board the German steamer "Donau". The same day the previously arrested Jewish men were brought on board the "Donau", which then left Oslo with 500 to 600 Jews on board. In February 1943, 120 women, children and old men all Jews, were deported from the country. All these Jews were sent to Germany and Poland. Only 2 per cent of them - 13 in all - avoided death in concentration camps and gas chambers, and have returned to Norway after the liberation, alive.

4. In many other cases the Germans and the "Quislings" practised compulsory transfer of civilians as punishment. Clergymen, for instance, were forbidden to remain in their

home districts. The grossest case of compulsory transfer of civilians was the evacuation of

most of Finnmark fylke's population as a part of the German "scorched earth" policy in Finnmark, during the advance of the Russians in November 1944 (see Appendix 33 and below B.d.)

It has already been mentioned above that about 7500 Norwegians were sent to Germany as prisoners during the occupation.

d. Compulsory labor by civilians as part of the enemy's war effort.

In the spring of 1942 it became necessary for the Germans to mobilize increased manpower also in the occupied countries in order to maintain Germany's war production, and to build up defenses around "Festung Europa."

By decree of 21st March, 1942, signed by Hitler, Lammers and Keitel, Fritz Sauckel was appointed "General-bevollmächtigten für den Arbeitseinsatz" in Germany and the occupied countries, and on 22nd August, 1942 Sauckel issued an order which resulted in decrees being promulgated in all the occupied countries looking towards the mobilization of persons for compulsory labor in the German war machine.

The result of Sauckel's order as to Norway was that on 3rd February, 1943, a Quisling "law" relating to compulsory registration of Norwegian men and women for so-called "national labor effort" was promulgated. Terboven and Quisling openly admitted that the law was promulgated in order that the Norwegian people should use their manpower for the benefit of the German war effort. In a speech on 2nd February Terboven stated, among other things, that he himself and the German Reich stood behind this law, and he

threatened to use force against anyone who tried to prevent its execution.

The "national labor effort" law met strong

opposition in the Norwegian people, and despite the use of forceful means, the Compulsory Labor Mobilization turned into a fiasco.

A few hundred of the mobilized labourers were sent to Northern Norway to work at German military installations. Others were enlisted for work in Organisation Todt or Legion Speer, both being quasi-military organisations of character.

B. Crimes Against Norwegian Property

a. Purposeless ravaging and destruction.

1. After the raid on Lofoten on the 4th March, 1941, the Germans ordered all houses belonging to Norwegians, or relatives of Norwegians who had voluntarily accompanied the Allied troops to England, or people who had assisted such Norwegians, to be completely burned. Pursuant to this order 10 houses were burned while the inhabitants were forced to look on. The damages totalled, all together, more than half million kroner.

2. A similar burning took place at Reine in Lofoten on the 6th January, 1942, causing damages amounting to one-quarter million kroner.

3. To revenge the two German policemen who were shot on the 26th April, 1942, (A.a.1 and A.e.2 above) at Televaag, the entire place was laid waste in reprisal. More than 90 properties with 334 buildings were totally destroyed, causing damages to buildings and chattels (furniture and fishing outfits) amounting to a total of 4.2 million kroner.

4. As a result of the advance of the Russian troops and

the retreat of the German Army in Finnmark, October-November 1944, the Germans practised, for the first time, the "scorched earth" policy in Norway. Orders were issued that the civilian population was to evacuate and that

all houses, transports and stores were to be destroyed. As a result of this about 30,000 houses were damaged, apart from 12,000 damages to chattels, amounting to a total of about 176 million kroner (Appendices 33, 34, 35 and 37).

5. On many occasions the Germans burned cottages and summer farms in various districts, because they insisted that saboteurs and "bandits" had lodged there, as, for example at Hardangervidda in the spring of 1943, Östre Slidre in the summer of 1944, Furnes and Vang in January 1945. The damages amounted to several hundred thousand kroner. At Eggedal in April 1945, the Germans burned cottages as a revenge for the defeat they had suffered fighting Norwegian Home Front Forces (damage of about 150,000 kroner) and at Masfjorden in May 1945, farms and summer farms were burned for the same reason (damage about 350,000 kroner).

6. On numerous occasions damages were caused to Norwegian property by illegal encroachments on the part of the Germans and the Quislings, as, for example by illegal confiscation, seizures, thefts, ravaging raids, penal measures against patriots etc.

b. Confiscation of Property

During the occupation the Germans promulgated several decrees relating to confiscation of property belonging to Norwegian subjects. The decrees affected both Norwegians who had left the country (that is, by reason of the Gestapo pursuing them) and Norwegians who had been arrested, whether their case had been brought before the

courts or not.

A decree promulgated by Terboven on 26th October, 1941, encompassed not only property belonging to persons who or associations which had "promoted efforts of anti-German or anti-national character", but also property belonging to persons who and associations which "might in the future promote such efforts".

As examples may be mentioned: the seizure of the property belonging to political parties, to the Masonic Order, to the Scout organizations and various humanitarian organizations, etc. In 1941 wireless sets belonging to Norwegian citizens were also seized and later confiscated by the Germans. The total value of the confiscated wireless sets amounted to ca. 120 million kroner and only relatively few of the wireless sets have been recovered since the German capitulation.

c. Imposition of Collective Punishments.

As reprisal for alleged sabotage, allied raids, bombing by allied planes, etc. the Germans imposed collective punishments on civilian populations and communities.

As examples may be mentioned: After the raid on Lofoten on the 4th March, 1941 the population of the small community of Östvägöy was compelled to pay 100,000 kroner. The community was also made to pay for the maintenance of the German and Quisling families who were taken prisoner by the Allies. After the British raid on Oslo on the 25th September, 1942, 100 Oslo citizens were compelled to pay altogether 3 and one-half million kroner to cover the damages caused. In January 1941 Trondheim, Stavanger and Vest-Oppland were compelled to pay 60,000, 50,000 and 100,000 kroner respectively. In September, 1941, Stavanger "kommune" had to pay a penalty of 2,000,000 kroner for alleged sabotage of German telegraph-cables. In August 1941, Rogaland had to pay 500,000 kroner and Ålesund 100,000 kroner

d. The Exploitation of Norway: Unauthorized Requisitions and Levies and Debasement of Norway's Currency.

Since the first day of the war, German war-economy aimed at the exploitation of all German-occupied areas. As early as 18th April, 1940, Hitler promulgated an order to the effect that exploitation of Norway's economy could begin, and that Norway, for this purpose, was to be regarded as an "enemy state" (Appendix 38).

As a result of this the Germans organized a regular and systematic plundering of Norway, which entailed extensive and lasting, harmful consequences to the country's economic life.

The Germans accomplished this in many different ways. In the first place they requisitioned goods and services without compensation to an extent entirely disproportionate to Norway's means (see Article 52 of the Hague Convention). The controlling factor in this connection was solely Germany's ability to wage war, the harm done to Norwegian economy being of no consequence. Every tree in Norwegian forests was to be chopped down if the German war needs demanded it (Appendix 31). Uncompensated German requisitions etc. during the occupation will probably, without being able to give an exact figure, amount to 1,200 million kroner or more. Part of this amount has, however, been charged to the Norwegian State Budget because the Germans forced the Norwegian State to pay compensation for properties requisitioned by them.

But the Germans requisitioned also against payment by means of "bought" goods and commodities which they paid

for, not with their own funds, but with funds which the Norges Bank was compelled to place at their disposition. This amounted to 7 million kroner per day, and at the end of the occupation on 7th May, 1945, the Germans had

consumed a net amount of 11341 million kroner in Norges Bank, an amount that might be taken as an index of the purchases of goods and services by the Germans outside the Norwegian-German Clearing System. The Norwegian State was guarantor for the amount to Norges Bank.

The German occupation of Norway also brought with it an interruption of the country's normal trade with most of the other countries outside German sphere of influence. The Germans exploited this compulsorily increased German trade to their own advantage in every possible way; for example, by raising the prices on everything which was sold to Norway and by keeping the prices down on everything that was bought there.

The "occupational costs" themselves for Norway amount to more than 12,000,000,000 kroner, and represent more for each Norwegian citizen than for the citizen of any other occupied country whose statistics are available for comparison.

The Norwegian State's budget also rose terrifically on account of the German occupation due, among other things, to expenditures in connection with the Nazi police force, Nazi propaganda etc. These expenditures amount to about 900 million kroner.

In addition to these must be added other damages for which Germany must be regarded as responsible; for example, to Norwegian industry, navigation, communications, residences, etc.

All in all Norway's claim for compensation against Germany amounts to 21,000,000,000 kroner or 4,700,000,000 dollars (Appendix 32).

IV Crimes against Humanity

A series of the crimes which are listed in section III, crimes against the laws and customs of war, must also at the same time, be regarded as crimes against humanity, as such crimes are defined in Art.6, e, in the Charter of the International Military Tribunal of 8th August, 1945. This is true of the murder of civilian prisoners and hostages, (III a), the arrest and torture of civilians, (III b), the deportation of civilians (III c), and the compulsory labour of civilians (III d).

As a crime against humanity special mention must be made of the cruelties and miseries which were inflicted on the Jewish population of Norway. (III,a and III,c,3). The "Jewish problem" was one of the main policies of the Nazi program and the "carrying out" of this policy has cost the lives of millions of innocent human beings. No "Jewish problem" has ever existed in Norway, and the Jews constituted only a small minority of the population (ca.1500 of ca.300,000,000) In spite of this, also this part of the nazification was to be carried out in Norway. One-half of the Jews in Norway managed to escape the Nazi butchers. The other half was, as already stated, deported to Germany and Poland, and of them only 13 came back.